



WILLIAM T FUJIOKA
Chief Executive Officer

County of Los Angeles CHIEF EXECUTIVE OFFICE

713 KENNETH HAHN HALL OF ADMINISTRATION
LOS ANGELES, CALIFORNIA 90012
(213) 974-1101
<http://ceo.lacounty.gov>

September 18, 2007

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**DEPARTMENT OF PARKS AND RECREATION:
APPROVE AMENDMENT NO. 2 TO INCREASE THE MAXIMUM AGREEMENT
AMOUNT IN THE NON-EXCLUSIVE AS-NEEDED SERVICE AGREEMENT
NO. 10274 WITH THE LOS ANGELES CONSERVATION CORPS FOR
LANDSCAPING AND MAINTENANCE SERVICES UTILIZING AT-RISK YOUTH
(ALL DISTRICTS) (3 VOTES)**

IT IS RECOMMENDED THAT YOUR BOARD:

1. Find that the proposed action is categorically exempt from the California Environmental Quality Act, pursuant to the State California Environmental Quality Act Guidelines and the County's Environmental Document Reporting Procedures and Guidelines, adopted by your Board on November 17, 1987, cited herein.
2. Approve and instruct the Chair to sign Amendment No. 2 to Agreement No. 10274 with the Los Angeles Conservation Corps to increase the maximum agreement amount from \$2.0 million to \$4.5 million for the initial 24-month term for as-needed services utilizing at-risk youth for Urban Reforestation Projects and other landscaping, maintenance, and improvement projects.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

On December 5, 2006, your Board of Supervisors (Board) authorized the Director of Parks and Recreation (Director) to execute an agreement with the Los Angeles Conservation Corps (LACC) to utilize at-risk youth on an as-needed basis to perform landscaping, maintenance and improvement projects within the parks, and to perform the at-risk component of capital improvement projects.

Board of Supervisors
GLORIA MOLINA
First District

YVONNE B. BURKE
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

The LACC provides training in job skills and environmental education to youth through involvement in projects that preserve, maintain and enhance environmentally important lands and waters. The mission of LACC is to provide at-risk young adults and school-aged youth with opportunities for success by providing them with job skills training, education and work experience with an emphasis on conservation and services that benefit the community.

The LACC has extensive experience, particularly in landscaping and tree planting, and will assist the Department of Parks and Recreation (Department) in the timely completion of the Urban Reforestation Project and other landscaping, maintenance and improvement projects.

On June 12, 2007, your Board approved the Urban Reforestation Projects funded by the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Act of 2000 (Prop 12), in the amount of \$3.645 million. Prop 12 passed in November 2000 and requires that the County spend no less than 10 percent of the grant funds received through the Per Capita program on urban reforestation projects. The \$3.645 million is divided into multiple capital projects totaling \$2.131 million and multiple projects funded within the Department's operating budget totaling \$1.514 million.

The recommended action will provide the authority needed to utilize this agreement and complete the Urban Reforestation Projects in a timely manner prior to the expiration date of June 30, 2008, for this grant program.

Implementation of Strategic Plan Goals

Approval of the recommended action supports the following Board approved County Strategic Plan: Goal No. 4 (Fiscal Responsibility) increases the Department's public/private partnerships, managing our resources effectively and investing in the public infrastructure; Goal No. 5 (Children and Families Well-Being) improves the health, economic well-being, safety and survival, emotional and social well-being, education/workforce readiness of the children and families of the County through the employment of youth; and Goal No. 6 (Community Services) improves the quality of life for residents by offering a wide range of services responsive to each community's specific needs.

FISCAL IMPACT/FINANCING

The recommended action will not have an impact on net County cost.

Of the amended maximum agreement amount of \$4.5 million, \$3.645 million will be utilized to complete the Urban Reforestation Projects and is funded as follows: \$1.514 million from the Department's operating budget and \$2.131 million from multiple capital project budgets. All capital project expenses will be billed directly against those respective capital project budgets.

The remaining agreement authority balance of \$855,000 will be available for as-needed projects and will not have an impact on net County cost. Funds will be encumbered for projects on an as-needed basis through available appropriation as follows:

- specific capital improvement projects approved by your Board;
- special district funds, if services are provided on behalf of one of the landscape maintenance districts;
- special funds such as Park In Lieu Fees, the Special Development Fund and the Park Improvement Fund, provided the services meet the criteria for those funds;
- the Department's annual Services and Supplies appropriation or other budget units, including the Extraordinary Maintenance Budget.

Amendment No. 1 was entered into on August 27, 2007, under the Director's previously delegated authority, to update the fee schedule to reflect and pass through the mandatory Federal Minimum Wage increase applicable to the workers provided by the Contractor. No other fee increases are included in the recommendation.

Operating Budget Impact

The Department's FY 2007-08 operating budget contains \$1.514 million to fund its respective portion of the Urban Reforestation projects. It is anticipated that the cost of irrigating these trees during the establishment period will be minimal, approximately \$23,000 during Fiscal Year 2007-08. In the event that future as-needed projects result in operating budget cost increases, such as utility costs for irrigation, the Department will work with the Chief Executive Office to determine the impact of these projects and develop a strategy to fund these increases.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Your Board authorized the Director to execute a non-exclusive agreement with LACC on December 5, 2006.

This amendment increases the maximum agreement amount from \$2.0 million to \$4.5 million for the initial 24-month term which will expire on December 5, 2008. Two one-year extension options may be exercised at the Director's discretion.

All County applicable standard provisions regarding contractor obligations and compliance with County and State requirements are contained in the Agreement.

County Counsel has approved the amended agreement as to form.

ENVIRONMENTAL DOCUMENTATION

The proposed projects are categorically exempt under the California Environmental Quality Act (CEQA) according to Section 15301(h) and Section 15304(b) of the State CEQA Guidelines and Class 1(j) and 4(c) of the Environmental Document Reporting Procedures and Guidelines, adopted by your Board on November 17, 1987, because the projects provide for maintenance of existing facilities and installation of new landscaping.

CONTRACTING PROCESS

This is an amendment to an agreement previously approved by the Board with the LACC. The LACC is a "Community Conservation Corps" as defined by Section 14507.5 of the California Public Resources Code, and therefore is exempt from the prevailing wage requirements under Section 1720.4(3) of the California Labor Code. The LACC is a non-profit corporation qualified under Internal Revenue Code Section 501(c)(3) and has applied and been approved for an exemption under County Code Chapter 2.201, the Living Wage Program. This agreement is for as-needed services and is a non-exclusive agreement. The Department is willing to negotiate and enter into similar as-needed agreements with other organizations that meet these requirements.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

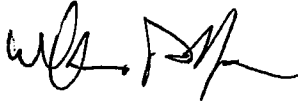
The Department does not anticipate any impact on current County services or projects.

The Honorable Board of Supervisors
September 18, 2007
Page 5

CONCLUSION

Please instruct the Executive Officer-Clerk of the Board to return three conformed copies of this Board Letter to the Department of Parks and Recreation.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'W. T. Fujioka', written in a cursive style.

WILLIAM T FUJIOKA
Chief Executive Officer

WTF:RG:DL
JSE:DJT:PB:z

Attachment

c: County Counsel
Parks and Recreation

**AMENDMENT NO. 2 TO AGREEMENT NO. 10274
FOR AS-NEEDED LANDSCAPE, MAINTENANCE AND MINOR IMPROVEMENTS
WITH LOS ANGELES CONSERVATION CORPS**

**AMENDMENT NO. 2 TO AGREEMENT NO. 10274 WITH THE LOS ANGELES
CONSERVATION CORPS**, was made and entered into this 18th day of September 2007,

BY AND BETWEEN THE

COUNTY OF LOS ANGELES, a body
corporate and politic, hereinafter
referred to as "County",

AND

**LOS ANGELES CONSERVATION
CORPS**, hereinafter referred to as
"Contractor" for as-needed landscape,
maintenance and minor improvement
services.

RECITALS

WHEREAS, on December 5, 2006, the County Board of Supervisors authorized the Director of the County of Los Angeles Parks and Recreation to enter into Agreement No. 10274 with the Los Angeles Conservation Corps for as-needed landscape, maintenance and minor improvement services; and,

WHEREAS, Sub-section 1.4.1, Contract Sum, states that the agreement amount under the initial twenty-four month term shall not exceed \$2,000,000; and,

WHEREAS, on June 12, 2007, the County Board of Supervisors approved Urban Reforestation projects in the amount of \$3,645,000; and,

WHEREAS, the Department of Parks and Recreation needs to utilize this services provided by this Agreement to complete the Urban Reforestation Projects on schedule as well as to complete possible future projects; and,

WHEREAS, the County and Contractor agree to increase the maximum Agreement amount for the initial twenty-four month term to \$4,500,000; and,

WHEREAS, Amendment No. 1 was approved by the Director under his previously delegated authority to increase the fee schedule by a pass through of the mandatory increase in the Federal minimum wage for workers provided by the Contractor for this Agreement;

76347

IN WITNESS WHEREOF, the Contractor has executed this Amendment No. 2 to Agreement No. 10274, or caused it to be duly executed, and the County, by order of its Board of Supervisors, has caused this Amendment No. 2 be executed on its behalf by the Chair of said Board, and attested by the Executive Officer-Clerk of the Board of Supervisors thereof, on the date, month and year first written above.

COUNTY OF LOS ANGELES

By *[Signature]*
Chair, County of Los Angeles

CONTRACTOR

Los Angeles Conservation Corps,
a non-profit organization

By *[Signature]*
President, CEO

Hereby certify that pursuant to
Section 25103 of the Government Code,
delivery of this document has been made.

ATTEST:

SACHI A. HAMAI
Executive Officer-Clerk
of the Board of Supervisors



SACHI A. HAMAI
Executive Officer
Clerk of the Board of Supervisors

By *[Signature]*
Deputy

By *[Signature]*
Deputy

APPROVED AS TO FORM:

RAYMOND G. FORTNER, JR.
County Counsel

By *[Signature]*
HELEN S. PARKER
Principal Deputy County Counsel

ADOPTED
BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

28

SEP 18 2007

[Signature]
SACHI A. HAMAI
EXECUTIVE OFFICER

76347

NOW THEREFORE, in consideration of the mutual promises, covenants and conditions set forth herein, the parties hereto and each of them agree as follows:

1.0 COMPENSATION

Amend sub-section 1.4.1, Contract Sum, to read as follows:

"The total amount of compensation that may be committed to the Contractor under the initial term of this Contract by the County shall not exceed \$4,500,000. Should the Director determine to extend the Contract for one or more of the optional years, the total amount of compensation that may be committed to the Contractor under each additional option year shall not exceed \$1,000,000 per option year. The County may, at its discretion, expend any portion of that amount and there is no guarantee that the Contractor shall receive any compensation in any given year during the term of this Contract. For the purpose of this section, the term "committed" means the acceptance and execution of a Work Order."

2.0 RATIFICATION

All other terms, conditions, covenants and promises of the Agreement not affected by this Amendment No. 2 shall remain in full force and effect and are hereby reaffirmed.

3.0 EFFECTIVE DATE

The effective date of this Amendment No. 2 shall be the date, month, and year first written above.

/

/

/

/

/

/

/

/